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SENATE BILL NO. 617

Offered January 20, 2012

A *BILL to amend and reenact §§ 23-231.3 and 23-231.4 of the Code of Virginia, relating to Southwest Virginia Higher Education Center.*

Patron—Puckett

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That §§ 23-231.3 and 23-231.4 of the Code of Virginia are amended and reenacted as follows:**

§ 23-231.3. Membership of governing board; terms; compensation; officers.

A. The Center shall be governed by a ~~23-member~~ *24-member* Board of Trustees, consisting of the Director of the State Council of Higher Education for Virginia or his designee; the Chancellor of the Virginia Community College System or his designee; the presidents or chancellors, as appropriate, or their designees of Virginia Polytechnic Institute and State University, Radford University, the University of Virginia, the University of Virginia's College at Wise, Old Dominion University, Emory and Henry College, Virginia Intermont College, *King College*, and Virginia Highlands Community College; four members of the House of Delegates to be appointed by the Speaker of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; and seven nonlegislative citizen members to be appointed by the Governor, representing Southwest public education and area business and industry, including one school division superintendent, one public school teacher, two business and industry leaders, and three persons, one each representing the technology, tourism, and health care industries, respectively. Nonlegislative citizen members of the Board shall be chosen from among residents of the Southwest region of the Commonwealth and shall be citizens of the Commonwealth.

B. Legislative members and the representatives of the State Council, the Virginia Community College System, and the named institutions of higher education shall serve terms coincident with their terms of office. After the initial staggering of terms, all nonlegislative citizen appointments shall be for terms of four years, except that appointments to fill vacancies shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

No nonlegislative citizen member of the Board shall be eligible to serve more than two successive four-year terms, but after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional four-year terms may be served by such member if appointed thereto.

C. Nonlegislative citizen members shall not be entitled to compensation for their services. Legislative members of the Board shall be compensated as provided in § 30-19.12, and all members of the Board shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Center as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Center.

D. The Board shall elect a chairman and a vice-chairman from among its members.

§ 23-231.4. Powers of Board; contracts for educational services.

A. The Board of Trustees shall have, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1, except in those cases where, by the express terms of its provisions, it is confined to corporations created under that title. The Board shall also have the power to accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust.

B. The Board shall have the authority to establish and administer agreements with public institutions of higher education in the Commonwealth to provide graduate level instructional programs at the Center and with Emory and Henry College and *King College* for the provision of graduate degree instructional programs in education at the Center. The Board shall be empowered to establish and administer agreements with the University of Virginia's College at Wise and Emory and Henry College for the provision of upper level undergraduate instructional programs at the Center and with Virginia Highlands Community College for the provision of associate degree instructional programs at the Center.

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